

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TERESA MILLER,

Plaintiff,

vs.

WALMART, INC.,

Defendant.

Case No.: 2:23-cv-00079-GMN-EJY

ORDER ADOPTING R&R

Pending before the Court is the Report and Recommendation (R&R), (ECF No. 29), of United States Magistrate Judge Elayna J. Youchah, which recommends the Court grant Defendant's Motion to Dismiss, (ECF No. 21), and deny as moot Plaintiff's Motion for Consideration to Stop Motion for Dismissal, (ECF No. 27).

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections to the R&R were filed, and the deadlines to do so have passed. (*See* Min. Order, ECF No. 29) (setting February 12, 2024, deadline for objections). The Court

1 therefore ADOPTS the R&R in full.

2 Accordingly,

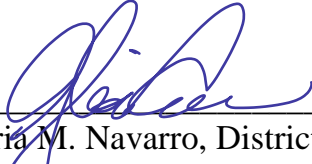
3 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 29), is
4 **ADOPTED in full.**

5 **IT IS FURTHER ORDERED** that Defendant's Motion to Dismiss, (ECF No. 21), is
6 **GRANTED.**

7 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Consideration to Stop Motion
8 for Dismissal, (ECF No. 27), is **DENIED as moot.**

9 **The Court kindly instructs the Clerk of Court to close this case.**

10 Dated this 19 day of February, 2024.

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14 Gloria M. Navarro, District Judge
15 United States District Court
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